



VILLAGE OF MARVIN

10004 New Town Road | Marvin, NC | 28173 | Tel: (704) 843-1680 | Fax: (704) 843-1660 | www.marvinnc.org

VILLAGE COUNCIL MEETING AGENDA

September 30, 2021 – 9am
Village Hall, 10004 New Town Road
Work Session (Virtual Meeting)

A. AGENDA ITEMS

5 MINUTES

1. Call to Order
2. Consider Allowing Councilmembers to Participate Remotely *(If applicable)*
3. Adoption of the Agenda

B. PRESENTATIONS

0 MINUTES

C. VILLAGE HALL

15 MINUTES

- a. Contingency Fund Update
 - b. Generator Relocation
 - c. Change Order for Irrigation
 - d. Audio Visual/Security/Access Control Update
- Christina Amos

D. ITEMS OF DISCUSSION

60 MINUTES

1. Discuss and Consider Waiving Procurement Policy and Awarding Contract for Construction of the Internal Preserve Trail to Blue Ridge Trail Works
 2. Discussion of Additional Roundabout Plantings
 3. Discussion and Consideration of Hiring a Part Time Event Planner to Assist with Village Events including Marvin Day Planning and Fundraising
 4. Discussion of 2022 Marvin Day Celebration
 5. Discussion of American Rescue Plan Act of 2021 Funding
 6. Discussion of Future Road Assessment Requests
 7. Discussion of Removing Underbrush on Village Hall Project Site
 8. Discussion of Trail Markers
 9. Discussion of Fall Town Hall Meeting Agenda & Format
 10. Review of Council Minutes from the 8/26/21 (Work Session) and 9/14/21 (Regular) Meetings
- Derek Durst
Derek Durst
Derek Durst
Derek Durst
Christina Amos
Christina Amos
Councilman Wortman
Mayor Pro Tem Vandenberg
Village Council
Austin W. Yow

E. OPEN TOPICS

5 MINUTES

F. COMMUNICATIONS

10 MINUTES

1. Discussion of October 2021 Communications
- Austin W. Yow

G. REPORTS AND UPDATES

30 MINUTES

1. Manager's Report
 2. Planner's Report
- a. Berwick Court Update
 - b. Pre-Salt Plan
 - a. CRTPO Grant Update
 - b. Innisbrook Trail Connection Update
 - c. Belle Grove Trail Update
 - d. Marvin Heritage District Update
- Christina Amos
Hunter Nestor

H. AGENDA ITEMS

10 MINUTES

1. Review of Action Items
 2. Review of Ongoing Action Item List
 3. Council Comments
- Austin W. Yow
Austin W. Yow
Village Council

I. CLOSED SESSION

0 MINUTES

J. ADJOURNMENT

Village of Marvin

Council Agenda



Agenda Items

- 1. Call to Order**
- 2. Consider Allowing Councilmembers to Participate Remotely *(If applicable)***
- 3. Adoption of the Agenda**

Village of Marvin

Council Agenda



Presentations

Village of Marvin

Council Agenda



Village Hall

Village of Marvin

Council Agenda



Items of Discussion

Village of Marvin

Council Agenda



Meeting Date: Thursday, September 30, 2021

Agenda Section: New Business

Agenda Item: Contract

Action Requested: Approve Contract

Agenda Item to be Considered

Presenter: Derek Durst

Subject: Internal Preserve Trail Construction

Supporting Documentation: Staff Memo/ Quote

Budgetary Impact: Budgeted Item(s)

Staff Recommendation: Discussion and consideration of Waiving Procurement Policy and awarding contract for construction of Internal Preserve Trail to Blue Ridge Trail Works



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TO: Village Administrator, Christina Amos
FROM: Derek Durst, Public Facilities Manager
SUBJECT: Village of Marvin-Budget Amendment
DATE: July 8, 2021

Background:

In CIP 20-21, there was \$50,000 allocated for the construction of the Internal Preserve Trail. Currently staff has received one quote from Blue Ridge Trail Works for this project. Staff has attempted to reach out to other trail builders to inquire about their interest in quoting the project. No other trail builders have responded or said that they would like to bid the project.

Current:

Blue Ridge Trail Works has repeatedly been the lowest bidder on many projects within the Village of Marvin and has done high quality work on these projects. With the established relationship, familiarity with the company, and the trust that staff has in their services, staff feels confident that BRTW would great to move forward with.

Suggested Motion:

Discussion and Consideration of waving the minimum requirement for 3 quotes and allow the Village Manager to execute a contract with Blue Ridge Trail Works for the construction of the Internal Preserve Trail for \$46,035 with \$3,965 in contingency funds.



Blue Ridge Trail Works, Inc

227 East Front St.
Statesville, NC 28677
Cell: 704-929-0151
brtwinc@gmail.com
www.blueridgetrailworks.com

North Carolina's Best Choice for Sustainably Built Natural Surface Trails

Client: Village of Marvin, NC - Derek Durst
Site: The Preserve Trail, Marvin, NC
Contact Info: 704-930-9857 & parkmanager@marvinnc.org
Work: Approximately 4,650'+ of Enhanced Natural Surface Trail

Blue Ridge Trail Works Inc. : Contact Information

BRTW Contact : Scott Brown: 704-929-0151 (wmscottb93@gmail.com)

BRTW Address : 227 East Front St., Stateville, NC 28677

BRTW License #: NC General Contractor License # 74586

Overview-

Quote is for design & build of approximately 4,650+ linear feet of enhanced natural surface trail on The Town of Marvin's Trail Easement on The Preserve Sub-Divisions Property in Marvin, NC. We will design & Flag a new trail route before the build begins.

Scope of Services -

A) - Trail Description - Approximately 4,650+ linear feet of trail in Marvin's Trail Easement on The Preserve's property in Marvin, NC. The trail will be routed as

necessary to place it in a sustainable location & this route will be approved by the town of Marvin & measured before proceeding with the build. The trail will be constructed from native soil and crushed concrete mixed together to form and harden into a sustainable trail tread. Industry best standards for trail design & construction will be employed. The trail tread will be 4' wide with the trail corridor that already exists & will remain the same. Any roots, stumps and other organics will be mechanically grubbed or removed from the tread & placed to the sides so that they do not impede the drainage of water from the tread. The tread will be mechanically compacted & the natural area around the trail will be restored to a natural look.

QUOTATION:

ITEM			AMOUNT
A) Design & ReBuild of a 4' Wide Enhanced Natural Surface Trail on an Existing "Trail" -	Approximately 4,650+ Ln. Ft.	\$9.90 Per Ln. Ft.	\$46,035.00
TOTAL COST -			\$46,035.00

Terms - \$7,500 Down & by weekly billing w/ last payment due after Completion

Agreed to By: Blue Ridge Trail Works, Inc. & Village of Marvin

Date _____

Name _____

Signature _____

Village of Marvin

Council Agenda



Meeting Date: Thursday, September 30, 2021

Agenda Section: Unfinished Business

Agenda Item: Proposal

Action Requested: No Action Required at this time

Agenda Item to be Considered

Presenter: Derek Durst

Subject: Additional Roundabout Plantings

Supporting Documentation: N/A

Budgetary Impact: No Budgetary Action Required

Staff Recommendation: Discussion and consideration of additional roundabout plantings in conjunction with discussions held with PRG at 9-28-21 work session.



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TO: Village Council
FROM: Derek Durst, Public Facilities Manager
SUBJECT: Additional Roundabout plantings
DATE: September 20, 2021

Background

In July and August of 2021, the Parks Recreation and Greenways advisory board began discussion of adding additional plants to the roundabouts, specifically boxwoods along the front of each mulch quadrant, to eventually form a hedge around the front and provide more greenery in the winter months. These plantings were discussed at the August 26th Council work session with the consensus that Councilman Wortman and PFM Durst would meet to discuss proper plantings.

Current

Staff and Council have met to discuss various options in the roundabouts. Currently, there is no consensus on which plants to move forward with as additional plantings. Council would like to offer different plantings and different locations to PRG.

Suggested Motion

Staff suggests that council and PRG continue discussions on plantings at the September and October work sessions to come to a consensus on how to move forward.

Village of Marvin

Council Agenda



Meeting Date: Thursday, September 30, 2021

Agenda Section: New Business

Agenda Item: Other

Action Requested: No Action Required at this time

Agenda Item to be Considered

Presenter: Derek Durst

Subject: Part Time Event Planner Hiring

Supporting Documentation: Staff Memo

Budgetary Impact: No Budgetary Action Required

Staff Recommendation: Discussion and Consideration of Hiring a Part Time Event Planner to Assist with Village Events Including Marvin Day Planning and Fundraising



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TO: Village Council
FROM: Derek Durst, Public Facilities Manager/ Christina Amos, Village Manager
SUBJECT: Temporary Part Time Event Planner Consideration
DATE: September 20, 2021

Background

As of September 20, 2021, the account for Park Maintenance Associate salaries has an excess of just over \$3400 in the budget. This excess money is due to the Park Maintenance Associates not using up all their budgeted hours.

Current

Public Facilities Manager, Derek Durst and Village Manager Christina Amos have discussed using the excess funds to hire a (temporary) part-time event planner. With these funds, a position not to exceed six and a half hours a week for six months at \$20 an hour could be funded. If needed, additional monies could be appropriated with a budget amendment, at a later time. Currently the Marvin Day planning has put a lot of extra work on the Village staff. Facility Rentals and Professional Pass use at Marvin Efid Park are at an all time high. The continual growth of the Village and Park, and it's maintenance has created the need for some part time administrative help specifically designated to events. This help would have a specific task of raising money through securing sponsorships.

Suggested Motion

Discussion and Consideration of hiring a temporary part-time event planner to assist with Village events including Marvin Day 2022 planning.

Village of Marvin

Council Agenda



Meeting Date: Thursday, September 30, 2021

Agenda Section: Items of Discussion

Agenda Item: Consensus

Action Requested: Give Consensus

Agenda Item to be Considered

Presenter: Derek Durst

Subject: 2022 Marvin Day Celebration

Supporting Documentation:

Budgetary Impact: No Budgetary Action Required

Agenda Item Title: Discussion of 2022 Marvin Day Celebration

Village of Marvin

Council Agenda



Meeting Date: Thursday, September 30, 2021

Agenda Section: Items of Discussion

Agenda Item: Consensus

Action Requested: Give Consensus

Agenda Item to be Considered

Presenter: Christina Amos

Subject: ARP Funds

Supporting Documentation:

Budgetary Impact: Budgetary Action Required

Agenda Item Title: Discussion of American Rescue Plan Act of 2021 Funding

Village of Marvin

Council Agenda



Meeting Date: Thursday, September 30, 2021

Agenda Section: Items of Discussion

Agenda Item: Consensus

Action Requested: Give Consensus

Agenda Item to be Considered

Presenter: Christina Amos

Subject: Future Road Assessment Requests

Supporting Documentation:

Budgetary Impact: No Budgetary Action Required

Agenda Item Title: Discussion of Future Road Assessment Requests

Village of Marvin

Council Agenda



Meeting Date: Thursday, September 30, 2021

Agenda Section: Items of Discussion

Agenda Item: Consensus

Action Requested: Give Consensus

Agenda Item to be Considered

Presenter: Councilman Wortman

Subject: Village Hall Site Underbrush

Supporting Documentation:

Budgetary Impact: Budgetary Action Required

Agenda Item Title: Discussion of Removing Underbrush on Village Hall Project Site

Village of Marvin

Council Agenda



Meeting Date: Thursday, September 30, 2021

Agenda Section: Items of Discussion

Agenda Item: Consensus

Action Requested: Give Consensus

Agenda Item to be Considered

Presenter: Mayor Pro Tem Vandenberg

Subject: Trail Markers

Supporting Documentation:

Budgetary Impact: Other

Agenda Item Title: Discussion of Trail Markers

Village of Marvin

Council Agenda



Meeting Date: Thursday, September 30, 2021

Agenda Section: Items of Discussion

Agenda Item: Consensus

Action Requested: Give Consensus

Agenda Item to be Considered

Presenter: Village Council

Subject: Fall Town Hall Meeting Agenda & Format

Supporting Documentation: Draft Agenda

Budgetary Impact: No Budgetary Action Required

Agenda Item Title: Discussion of Fall Town Hall Meeting Agenda & Format



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VILLAGE COUNCIL MEETING AGENDA

October 14, 2021 at 6:30pm
The Barn at Marvin Efird Park
8909 New Town Road
Fall Town Hall Meeting

MEETING AGENDA

Please join the Marvin Village Council and Staff on Thursday, October 14, 2021 at 6:30pm at the Barn at Marvin Efird Park (8909 New Town Road) for the Fall Town Hall Meeting. The purpose of this meeting is to provide a public forum for residents to converse back and forth with the Village Council and Staff and to get information on any of our current and upcoming projects.

AGENDA ITEMS

1. Call to Order
2. Adoption of the Agenda
3. Welcome from Mayor Pollino & Introductions
4. Accomplishments
5. Village Hall Update
6. Village Hall Historic Artifacts & Time Capsule
7. Solid Waste Services Update
8. Roundabout Update
9. Loop/Greenway Grant & Upcoming Trails
10. Disc Golf at Marvin Efird Park
11. Recap of 2021 National Night Out
12. 2022 Marvin Day Celebration
13. Marvin Heritage District Update
14. Coffee with Council
15. General Questions
(Questions and Comments received before and during event will be addressed)
16. Village Council and Staff Meet & Greet

ADJOURNMENT

Village of Marvin

Council Agenda



Meeting Date: Thursday, September 30, 2021

Agenda Section: Items of Discussion

Agenda Item: Meeting Minutes

Action Requested: Review and Place on Consent Agenda

Agenda Item to be Considered

Presenter: Austin W. Yow

Subject: Review of Council Meeting Minutes

Supporting Documentation: Draft Minutes

Budgetary Impact: No Budgetary Action Required

Agenda Item Title: Review of Council Minutes from the 8/26/21 (Work Session) and 9/14/21 (Regular) Meetings



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VILLAGE COUNCIL MEETING MINUTES

August 26, 2021 – 9am

Village Hall, 10004 New Town Road
Work Session (Virtual Meeting)

A. AGENDA ITEMS

1. **Call to Order**

Mayor Pollino called the meeting to order at 9am and determined a quorum was present.

Present: Mayor Pollino, Mayor Pro Tem Vandenberg, Councilman Lein, Councilman Wortman

Present Virtually via Webex: Councilman Marcolese

Absent: None

Staff Present: Christina Amos, Austin W. Yow, Hunter Nestor, Jamie Bays, Derek Durst

2. **Consider Allowing Councilmembers to Participate Remotely**

MOTION: Councilman Wortman moved to allow Councilmembers to participate remotely.

VOTE: The motion passed unanimously, 4-0.

3. **Adoption of the Agenda**

MOTION: Councilman Wortman moved to approve the agenda.

VOTE: The motion passed unanimously, 4-0.

B. PRESENTATIONS

No presentations occurred.

C. VILLAGE HALL

Ms. Amos stated she would give this update in her Manager's Report. Councilman Wortman briefly stated that the gravel has been laid down and the floor will be poured tomorrow.

D. ITEMS OF DISCUSSION

TIME STAMP 2:35

1. **Discussion of 2022 Marvin Day Celebration**

Derek Durst, Public Facilities Manager, explained the planning process for the 2022 Marvin Day Celebration. He explained the events, as well as the person responsible for planning each event. Council discussed the events, communications, as well as sponsorships in depth.

TIME STAMP 22:30

2. **Discussion and Consideration of Tree Feeding/Preservation Programs for Heritage Oaks at Marvin Efird Park**

Mr. Durst asked Council whether they were interested in investing in services to care for the heritage oak trees at Marvin Efird Park. He explained he has already begun receiving quotes. Council directed Mr. Durst to get additional quotes.

TIME STAMP 27:20

3. **Discussion and Consideration of Options for Possible Swing Replacement at Marvin Efird Park and Authorize Future Budget Amendment**

Mr. Durst explained that the current swing set at the park is made of wood and has been slowly deteriorating. He stated that a replacement will be needed soon. He presented Council with various options, which Council discussed in depth. Council agreed by consensus to pursue a temporary fix until the entire swing set needs to be replaced.

TIME STAMP 33:00

4. **Discuss and Consider Adoption of Ordinance Amending the General Fund Budget for the Purchase of Traffic Radar Signs as Approved at the 8/10/2021 Council Regular Meeting**

Jamie Bays, Finance Officer, explained that this ordinance shifts funds to purchase the traffic radars that were previously approved.

OR-2021-08-01

AN ORDINANCE AMENDING THE GENERAL FUND BUDGET ORDINANCE

BE IT ORDAINED by the Village Council of the Village of Marvin, North Carolina that the following amendment be made to the annual budget ordinance for the fiscal year ending June 30, 2022:

SECTION 1. To amend the General Fund Budget, the revenues and appropriations are to be changed as shown.

TYPE	BUDGET ACCOUNT	AMENDMENT AMOUNT	FROM	TO
Expense	General Fund – Traffic Calming (A/C 6350)	\$6,000	\$0	\$6,000
Expense	General Fund-Contingency (A/C 6900)	(\$6,000)	\$40,000	\$34,000

Reason: To amend budget for a contingency appropriation of \$6,000 to Roads and Transportation (Traffic Calming) for the purchase of radar signs as approved in the 8/10/2021 meeting.

SECTION 2. Copies of this budget amendment shall be furnished to the Clerk to the Governing Board, and to the Budget Officer and the Finance Officer for their direction.

Adopted this 26th day of August 2021.

MOTION: Mayor Pro Tem Vandenberg moved to approve the ordinance amending the General Fund Budget for the purchase of traffic radar signs as approved at the 8/10/2021 Council Regular Meeting.

VOTE: The motion passed unanimously, 4-0.

TIME STAMP 36:05

5. **Consider Call for Public Hearing to be Held on September 14, 2021, at 6pm at Village Hall for Special Use Permit Application #21-12695: 608 Running Horse Lane, Pool in a Rear Yard that Abuts a Side Yard, as Required per §151.0549(E)(3) (See attached Item D.5., which is included as a reference in these minutes).**

MOTION: Mayor Pro Tem Vandenberg moved to call for a public hearing to be held on September 14, 2021, at 6pm at Village Hall for Special Use Permit Application #21-12695: 608 Running Horse Lane, pool in a rear yard that abuts a side yard, as required per §151.0549(E)(3).

VOTE: The motion passed unanimously, 4-0.

6. **Consider Call for Public Hearing to be Held on September 14, 2021, at 6pm at Village Hall to Consider Approval of The Gates at Marvin Preliminary Plat and Construction Plans (See attached Item D.6., which is included as a reference in these minutes).**

MOTION: Mayor Pro Tem Vandenberg moved to call for a public hearing to be held on September 14, 2021, at 6pm at Village Hall to Consider Approval of The Gates at Marvin Preliminary Plat and Construction Plans.

VOTE: The motion passed unanimously, 4-0.

7. **Consider Call for Public Hearing to be Held on September 14, 2021, at 6pm at Village Hall for Zoning Designation of Newly Annexed Parcel 06210007A, 8802 Bonds Grove Church Road (See attached Item D.7., which is included as a reference in these minutes).**

MOTION: Mayor Pro Tem Vandenberg moved to call for a public hearing to be held on September 14, 2021, at 6pm at Village Hall for Zoning Designation of Newly Annexed Parcel 06210007A, 8802 Bonds Grove Church Road.

VOTE: The motion passed unanimously, 4-0.

8. **Consider Call for Public Hearing to be Held on September 14, 2021, at 6pm at Village Hall for Zoning Designation of Newly Annexed Parcel 06207005C, Marvin Efird Park** *(See attached Item D.8., which is included as a reference in these minutes).*
MOTION: Mayor Pro Tem Vandenberg moved to call for a public hearing to be held on September 14, 2021, at 6pm at Village Hall for Zoning Designation of Newly Annexed Parcel 06207005C, Marvin Efird Park.
VOTE: The motion passed unanimously, 4-0.

TIME STAMP 39:55

9. **Discuss and Consider Request from Council Candidate Brandi Smith to Extend the Candidate Questionnaire Deadline**
Austin W. Yow, Village Clerk & Assistant to the Manager, explained that Mrs. Smith inadvertently missed the deadline for the candidate questionnaire. Council by consensus allowed Mrs. Smith to speak. Council discussed this item in depth and agreed by consensus to not extend the deadline.

TIME STAMP 44:00

10. **Discussion of Annexation Local Bill**
Mr. Yow & Hunter Nestor, Planning & Zoning Administrator, explained that staff has revised the memo explaining the Village's reasoning for asking the North Carolina General Assembly to annex properties into Marvin with Council's feedback from previous meetings. Mr. Yow and Mr. Nestor added that staff also wishes to pursue a voluntary annexation campaign concurrently, as staff has made new contacts in subdivisions that stand to gain a lot by annexing into the Village.

TIME STAMP 48:55

11. **Discuss and Consider Adoption of Corrected Council Minutes from the 4/13/21 Budget Work Session Meeting**
(Approved minutes can be viewed online).
Mr. Yow explained that he inadvertently recorded the revenue neutral tax rate incorrectly as \$0.055, when it should have been \$0.046. He asked Council to amend the minutes with the correct rate.

MOTION: Mayor Pro Tem Vandenberg moved to adopt the corrected Council Minutes from the 4/13/21 Budget Work Session Meeting.

VOTE: The motion passed unanimously, 4-0.

TIME STAMP 50:05

12. **Review of Council Minutes from the 7/29/21 (Work Session) and 8/10/21 (Regular) Meetings**
Council reviewed the minutes and made no changes. Council directed Mr. Yow to place the minutes on the consent agenda for the September 14 regular meeting.

E. OPEN TOPICS

TIME STAMP 50:55

Mayor Pro Tem Vandenberg spoke on the ongoing traffic situation surrounding the Marvin Ridge Schools. She has received a request from the community about constructing sidewalks. She noted that the area is not in Marvin and encouraged those living in this area to annex into Marvin. Council discussed various options to address the situation.

F. COMMUNICATIONS

TIME STAMP 59:15

1. **Discussion of September 2021 Communications**
Council reviewed the list of proposed communications for September 2021 and added to the list.

G. REPORTS AND UPDATES

TIME STAMP 1:04:45

1. **Manager's Report**
- a. **American Rescue Plan Update**
Ms. Amos stated that the Village has received its first allotment of more than \$500,000 from the American Rescue Plan. The last allotment will be received in 2022. She briefly discussed possible uses for the funds. Council discussed this item in depth.
 - b. **Berwick Update**
Council informed Ms. Amos that AMT has not fixed the issue with standing water on the corner of Berwick in Firethorne. Ms. Amos stated AMT has been preoccupied with the Village's annual Powell Bill submissions.

c. Terracon Update

Ms. Amos explained that Terracon is the Village's third-party tester for the Village Hall project. She stated that additional work was required for the project and will cost an additional \$4,000-\$6,000. Ms. Amos stated that this item will be on the consent agenda for the September 14 regular meeting. She added that the Village will also owe Dewberry an additional \$8,000-\$9,000 for required revisions to the project plans. The Village may also owe Urban Architects for additional work; however, any amount owed is yet to be determined.

d. Village Hall Update *(Ms. Amos gave this update just prior to the review of action items.)*

Ms. Amos stated that the slab would be poured tomorrow and that framing would begin the following week. She stated that the contractor is expecting to have the project completed ahead of schedule.

TIME STAMP 1:30:35

2. Planner's Report

a. Innisbrook Trail Easement Update

Mr. Nestor stated he has not heard back from the property owners interested in giving the trail easement to connect Innisbrook to the future Preserve Trail.

b. Belle Grove Update

Mr. Nestor spoke to the developer of the Belle Grove subdivision regarding the fee in-lieu for the construction of the Belle Grove Trail. Council confirmed that they wished to keep the existing trail easement and retain the fee in-lieu. Mayor Pollino briefly asked Mr. Nestor about a problem that Charlotte Mott is experiencing due to the development of Belle Grove.

c. Union Power Roundabout Lighting Update

Mr. Nestor informed Council that NCDOT is requiring the Village to install four additional light poles at the roundabouts that, depending on the type of pole, may or may not come at an additional cost to the Village.

H. AGENDA ITEMS

TIME STAMP 1:44:30

1. Review of Action Items

- Ms. Amos will give an update on the Berwick issue at the September 14 regular meeting and will give AMT a deadline of September 30 to complete the work.
- Mr. Durst will get additional quotes for preserving the heritage oaks at Marvin Ebird Park.

TIME STAMP 1:45:05

2. Review of Ongoing Action Item List

Council reviewed the list and made revisions.

TIME STAMP 1:45:45

3. Council Comments

Mayor Pollino: He thanked staff for their hard work and for keeping the meeting efficient.

MOTION: Mayor Pro Tem Vandenberg moved to suspend the rules to add economic development to the closed session.

VOTE: The motion passed unanimously, 4-0.

I. CLOSED SESSION

TIME STAMP 1:47:45

Recess into Closed Session Pursuant of NCGS §143-318.11(a)(1)(4) for Review and Approval of Closed Session Minutes from the 7/13/21 and 8/10/21 Council Meetings; and Economic Development

MOTION: Mayor Pro Tem Vandenberg moved to recess into closed session pursuant to NCGS §143-318.11(a)(1)(4) for review and approval of Closed Session Minutes from the 7/13/21 and 8/10/21 Council Meetings and economic development.

VOTE: The motion passed unanimously, 4-0.

(Recording omits closed session)

MOTION: Mayor Pro Tem Vandenberg moved to move into open session.

VOTE: The motion passed unanimously, 4-0.

J. ADJOURNMENT

MOTION: Mayor Pro Tem Vandenberg moved to adjourn the meeting at 11:03am.

VOTE: The motion passed unanimously, 4-0.

Adopted: _____

*Joseph E. Pollino Jr., Mayor
Village of Marvin*

*Austin W. Yow
Village Clerk & Assistant to the Manager*



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VILLAGE COUNCIL MEETING MINUTES

September 14, 2021 – 6pm
Village Hall, 10004 New Town Road
Regular Meeting (Virtual Meeting)

A. AGENDA ITEM

1. Call to Order

Mayor Pollino called the meeting to order at 6:02pm and determined a quorum was present.

Present: Mayor Pollino, Mayor Pro Tem Vandenberg, Councilman Wortman

Present Virtually via Webex: Councilman Lein, Councilman Marcolese

Absent: None

Staff Present: Christina Amos, Austin W. Yow, Hunter Nestor, Jamie Bays, Chaplin Spencer

2. Consider Allowing Councilmembers to Participate Remotely

MOTION: Councilman Wortman moved to allow Councilmembers to participate remotely.

VOTE: The motion passed unanimously, 4-0.

3. Adoption of the Agenda

Mayor Pro Tem Vandenberg requested to make the following changes:

- Remove “Consider Adoption of Revised Village Council Meeting Schedule” from the Consent Agenda and Move it to New Business Item #4

MOTION: Mayor Pro Tem Vandenberg moved to adopt the agenda as amended.

VOTE: The motion passed unanimously, 4-0.

4. Pledge of Allegiance

Mayor Pollino led the pledge of allegiance.

5. Public Comment Period

No comments were given.

B. REPORTS AND UPDATES

1. Manager’s Report - No report was given.

TIME STAMP 2:35

2. Planner’s Report

- a. **Code Enforcement Update** *(See attached Item B.2., which is included as a reference in these minutes).*

- b. **Marvin Heritage District Update**

Hunter Nestor, Planning & Zoning Administrator, stated he still needs to meet with Councilmembers about changes made to the form-based code. He stated that the small area plan has been reviewed by the MHD Strategic Plan Committee and the Planning Board will review it next week. He expects Council to review the small area plan and revised form-based code in the next month or two.

3. Roads Report - No report was given.

TIME STAMP 3:50

4. Deputy’s Report *(See attached Item B.4., which is included as a reference in these minutes).*

Deputy Gallis gave his report on calls received in the previous month. He encouraged everyone to lock their vehicles.

5. Planning Board Chair Report - No report was given.

6. **PR&G Chair Report** - No report was given.

C. CONSENT AGENDA *(Consent items may be considered in one motion and without discussion except for those items removed by a Councilmember)*

TIME STAMP 5:45

MOTION: Councilman Marcolese moved to approve the consent agenda as amended.

VOTE: The motion passed unanimously, 4-0.

1. **Consider Approval of Amended Contract with Terracon in Amount of \$7,615 for Village Hall Project** *(See attached Item C.1., which is included as a reference in these minutes).*
2. **Consider Approval of Amended Contract with Dewberry Engineers in Amount of \$8,820 for Village Hall Project** *(See attached Item C.2., which is included as a reference in these minutes).*
3. **Consider Approval of Furniture for Village Hall Project with PMC in Amount Not to Exceed Total Product Cost of \$96,000** *(See attached Item C.3., which is included as a reference in these minutes).*
4. **Consider Adoption of Proclamation to Proclaim October as Domestic Violence Awareness Month**

PROCLAMATION

2021-09-01

TO PROCLAIM THE MONTH OF OCTOBER AS DOMESTIC VIOLENCE AWARENESS MONTH

WHEREAS, domestic violence affects all Union County residents, and far too many people suffer abuse at the hands of a spouse, partner, parent, child, or sibling; these victims can be of any age, race, religion, or economic status and the resulting damage is inflicted not only on the victims, but their children, families, and communities; and

WHEREAS, domestic violence includes not only physical but also mental abuse, emotional abuse, financial abuse, sexual abuse, and isolation; and

WHEREAS, domestic violence is widespread, including one in four families is impacted by domestic violence with an annual cost to Union County of \$11,688,756; and

WHEREAS, according to the North Carolina Coalition Against Domestic Violence, there have been 1,421 women, men, and children murdered as a result of domestic violence since January 1, 2002 in North Carolina; and

WHEREAS, according to the North Carolina Council for Women, domestic violence programs across the state responded to over 48,310 crisis calls and provided services to over 34,245 victims last year; and

WHEREAS, the key to prevention is education, community awareness, having zero tolerance for domestic violence, and requiring accountability by the abuser; and

WHEREAS, Union County recognizes the importance of having collaborations by multiple partners to promote social norms, policies and laws that support gender equity and foster intimate partnerships based on mutual respect, equality, and trust; and

NOW, THEREFORE, be it resolved that I, Joseph E. Pollino, Jr., Mayor of the Village of Marvin, do hereby proclaim October 2021 as Domestic Violence Awareness Month in Union County and urge all citizens to support this observance. I further urge our citizens to increase their awareness and education of this destructive force which deeply affects a large number of families in our State each year and to become part of the efforts to stop violence in families.

IN WITNESS WHEREOF, I have hereunto set my hand and caused the Seal of the Village of Marvin to be affixed this the 14th day of September 2021.

Adopted this 14th day of September 2021.

5. Consider Adoption of Proclamation to Proclaim September 17-23 as Constitution Week

PROCLAMATION

2021-09-02

PROCLAIMING SEPTEMBER 17-23 AS CONSTITUTION WEEK

WHEREAS, the Constitution of the United States of America, the guardian of our liberties, embodies the principles of limited government in a Republic dedicated to rule by law; and

WHEREAS, September 17, 2021, marks the two hundred thirty-fourth anniversary of the framing of the Constitution of the United States of America by the Constitutional Convention; and

WHEREAS, it is fitting and proper to accord official recognition to this magnificent document and its memorable anniversary, and to the patriotic celebrations which will commemorate it; and

WHEREAS, Public Law 915 guarantees the issuing of a proclamation each year by the President of the United States of America designating September 17 through 23 as Constitution Week,

NOW, THEREFORE, I, Joseph E. Pollino Jr., Mayor of the Village of Marvin, on behalf of the Village Council and Citizens, do hereby proclaim the week of September 17 through 23, 2021 as:

CONSTITUTION WEEK

and ask our citizens to reaffirm the ideals the Framers of the Constitution had in 1787 by vigilantly protecting the freedoms guaranteed to us through this guardian of our liberties.

IN WITNESS WHEREOF, I have hereunto set my hand and caused the Seal of the Village of Marvin to be affixed this the 14th day of September 2021.

Adopted this 14th day of September 2021.

6. Consider Adoption of Closed Session Minutes from the 7/13/21 and 8/10/21 Council Meetings
7. Consider Adoption of Council Minutes from the 7/29/21 (Work Session) and 8/10/21 (Regular) Meetings (*Adopted minutes can be viewed online*).
8. Consider Acceptance of Treasury Report for July 2021 (*Adopted treasury reports can be viewed online*).

D. PUBLIC HEARING

TIME STAMP 6:10

1. **Open the Public Hearing for Consideration of Special Use Permit Application #21-12695: 608 Running Horse Lane, Pool in Rear Yard that Abuts a Side Yard, as §151.054(E)(3)** (*See attached Item D.1., which is included as a reference in these minutes*).
MOTION: Mayor Pro Tem Vandenberg moved to open the public hearing.
VOTE: The motion passed unanimously, 4-0.

a. Public Comments

Austin W. Yow, Village Clerk & Assistant to the Manager, swore in Hunter Nestor, Planning & Zoning Administrator.

Hunter Nestor gave a presentation on the application:

Mr. Nestor explained that the applicant, Marc Denner of 608 Running Horse Lane, has applied for a Special Use Permit to install a pool in a rear yard that abuts a side yard. He explained that the proposed pool meets all setback and screening requirements. The applicant has also received approval from his neighbor and HOA. He added that the Planning Board and Staff recommends approval.

MOTION: Mayor Pro Tem Vandenberg moved to close the public hearing.

VOTE: The motion passed unanimously, 4-0.

b. Discussion and Consideration

MOTION: Councilman Wortman moved to approve the request for Special Use Permit Application #21-12695, for a pool in a rear yard that abuts a side yard, located at 608 Running Horse Lane, as required per §151.054(E)(3) and affirm the following findings of fact:

1. The use will not materially endanger the public health or safety if located where proposed and developed according to plan;
2. The use meets all required conditions and specifications;
3. The use will not substantially injure the value of adjoining or abutting property, or the use is a public necessity;
4. The location and character of the use, if developed according to the plan as submitted and approved, will be in harmony with the area in which it is to be located and will be in general conformity with this chapter and the Village of Marvin Land Use Plan.

VOTE: The motion passed unanimously, 4-0.

TIME STAMP 16:05

2. Open the Public Hearing for Consideration of The Gates at Marvin Preliminary Plat and Construction Plans *(See attached Item D.2., which is included as a reference in these minutes).*

MOTION: Mayor Pro Tem Vandenberg moved to open the public hearing.

VOTE: The motion passed unanimously, 4-0.

a. Public Comments

Mr. Nestor explained that Jones Homes has submitted the preliminary plat and construction plans for the Gates at Marvin, a six-home rural subdivision. He explained that the applicant previously applied for a text amendment to shrink the tract requirement for rural subdivisions. He then explained the sketch plan was administratively approved by staff and the that Planning Board has recommended approval of the preliminary plant and construction plans contingent upon outside agency approvals.

MOTION: Mayor Pro Tem Vandenberg moved to close the public hearing.

VOTE: The motion passed unanimously, 4-0.

b. Discussion and Consideration

MOTION: Mayor Pro Tem Vandenberg moved to approve the preliminary plat and construction plans for the Gates at Marvin, contingent upon outside agency approval.

VOTE: The motion passed unanimously, 4-0.

TIME STAMP 26:10

3. Open the Public Hearing for the Zoning Designation of Newly Annexed Parcel 06210007A, 8802 Bonds Grove Church Road *(See attached Item D.3., which is included as a reference in these minutes).*

MOTION: Councilman Wortman moved to open the public hearing.

VOTE: The motion passed unanimously, 4-0.

a. Public Comments

Mr. Nestor explained that staff and the Planning Board recommend to rezone the recently annexed parcel from Union County R-40 to R-Marvin Residential, as the surrounding properties in Marvin are also zone R-Marvin Residential.

MOTION: Mayor Pro Tem Vandenberg moved to close the public hearing.

VOTE: The motion passed unanimously, 4-0.

b. Discussion and Consideration

MOTION: Mayor Pro Tem Vandenberg moved to rezone the property located at 8802 Bonds Grove Church Road to R-Marvin Residential District and find that the proposed zoning map amendment is consistent with the Village of Marvin 2020 Land Use Plan and other officially adopted Village plans and is reasonable and in the public interest and are consistent with surrounding uses and zoning.

VOTE: The motion passed unanimously, 4-0.

TIME STAMP 28:25

4. Open the Public Hearing for the Zoning Designation of Newly Annexed Parcel 06207005C, Marvin Efird Park *(See attached Item D.4., which is included as a reference in these minutes).*

MOTION: Councilman Marcolese moved to open the public hearing.

VOTE: The motion passed unanimously, 4-0.

a. **Public Comments**

Mr. Nestor explained that staff and the Planning Board recommend to rezone the parcel from Union County R-40 to R-Marvin Residential as all neighboring Marvin properties have the same zoning.

MOTION: Mayor Pro Tem Vandenberg moved to close the public hearing.

VOTE: The motion passed unanimously, 4-0.

b. **Discussion and Consideration**

MOTION: Mayor Pro Tem Vandenberg moved to rezone the parcel located at Marvin Efird Park and further identified as Parcel 06-207005C to R-Marvin Residential District and find that the proposed zoning map amendment is consistent with the Village of Marvin 2020 Land Use Plan and other officially adopted Village plans and is reasonable and in the public interest and are consistent with surrounding uses and zoning.

VOTE: The motion passed unanimously, 4-0.

E. VILLAGE HALL

TIME STAMP 30:20

Christina Amos, Village Manager, explained that the framing of the new Village Hall is in progress and the roof will be going on next week. The expected move-in date is January or February.

F. UNFINISHED BUSINESS

TIME STAMP 32:55

1. **Discussion of National Night Out 2021**

Mayor Pro Tem Vandenberg stated that National Night Out is currently scheduled for Tuesday, October 5, 2021, from 5:30pm to 8pm. Council consulted with Village Attorney Chaplin Spencer about holding events with the COVID-19 health crisis. Mr. Spencer stated that it would be best to install social distancing signs and be prepared to make last-minute changes if the situation changes.

TIME STAMP 36:40

2. **Discussion of 2022 Marvin Day Celebration**

Council discussed the planning process for the 2022 Marvin Day Celebration in depth.

G. NEW BUSINESS

TIME STAMP 40:20

1. **Discussion and Consideration of Additional Roundabout Plantings**

Mayor Pro Tem Vandenberg explained that the PR&G Board wishes to add additional plants to the roundabouts, specifically boxwoods and additional lantana. She explained that Public Facilities Manager Derek Durst is working on getting an updated quote. She explained that a budget amendment will be needed.

TIME STAMP 45:55

2. **Discussion of Dates for Coffee with Council Events (October-December)**

Council discussed the dates and signed up to staff the Coffee with Council events from October through December.

TIME STAMP 49:25

3. **Discussion of Spring 2022 Town Hall Meeting**

Mayor Pro Tem Vandenberg asked Council if a Spring Town Hall Meeting is necessary given the 2022 Marvin Day Celebration being scheduled Saturday, May 21, 2022. Council agreed by consensus that the next Town Hall Meeting should be held with the grand opening of the new Village Hall early in 2022.

TIME STAMP 52:45

4. **Consider Adoption of Revised Village Council Meeting Schedule** *(See attached Item G.4., which is included as a reference in these minutes).*

Mayor Pro Tem Vandenberg explained that the PR&G Board has requested to hold a joint meeting with the Village Council on Tuesday, November 30 at 9am to discuss event planning for the 2022 Marvin Day Celebration. Staff has revised the Council meeting schedule with the proposed date.

MOTION: Mayor Pro Tem Vandenberg moved to adopt the revised Village Council Meeting Schedule as presented.

VOTE: The motion passed unanimously, 4-0.

H. OPEN TOPICS

Mayor Pollino explained that he will be speaking to the Union County Chamber of Commerce about what is going on in Marvin. He plans to speak about topics including: the Marvin/New Town Road roundabout, roads, the Marvin Heritage District, Village Hall, communications, Coffee with Council, the 2022 Marvin Day Celebration, solid waste and recycling services, and last year's form of government change.

I. AGENDA ITEMS

TIME STAMP 55:30

1. Review of Action Items

- Mr. Durst will get an updated quote for the roundabout plantings.
- Staff will get social distancing signs for National Night Out.

2. Review of Ongoing Action Item List

Council reviewed the Ongoing Action Item List and made no changes.

TIME STAMP 56:35

3. Council Comments

Mayor Pollino: He thanked staff for their hard work and said he was praying for Ms. Amos, whose father recently passed.

J. CLOSED SESSION

No closed session occurred.

K. ADJOURNMENT

MOTION: Mayor Pro Tem Vandenberg moved to adjourn the meeting at 6:59pm.

VOTE: The motion passed unanimously, 4-0.

Adopted: _____

*Joseph E. Pollino Jr., Mayor
Village of Marvin*

*Austin W. Yow
Village Clerk & Assistant to the Manager*

Village of Marvin

Council Agenda



Open Topics

Village of Marvin

Council Agenda



Communications

Village of Marvin

Council Agenda



Meeting Date: Thursday, September 30, 2021

Agenda Section: Communications

Agenda Item: Consensus

Action Requested: Give Consensus

Agenda Item to be Considered

Presenter: Austin W. Yow

Subject: October 2021 Communications

Supporting Documentation: Draft List

Budgetary Impact: No Budgetary Action Required

Agenda Item Title: Discussion of October 2021 Communications

October 2021 Communication Topics

Topic	SM Date	Newsletter Date	Event Date
Board Vacancies/Volunteer Opportunities	Mon	Weekly	
Tax Bills (Union County)	Tue	Weekly	
National Night Out	9/28	10/1	10/5
PR&G Board Meeting	9/30	10/1 + 9/30 Notice	10/5
MHD SP Committee Meeting	9/30	10/1 + 9/30 Notice	10/7
Coffee with Council - 10-11am	10/4	10/1	10/7
Village Council Regular Meeting - 6pm	10/7	10/8 + 10/7 Notice	10/12
Fall Town Hall Meeting - 6:30pm (Barn)	10/7	10/8 + 10/7 Notice	10/14
Time Capsule Ideas	10/11	10/8	
No Left Turns	10/18	10/15	
Planning Board Meeting	10/14	10/15 + 10/14 Notice	10/19
Speeding/Watch for Children (School's in)	10/19	10/15	
Donation of Historic Artifacts	10/25	10/22	
Coffee with Council – 6-7pm	10/19	10/22	10/26
Village Council Work Session Meeting	10/21	10/22 + 10/21 Notice	10/28
WUMA Meeting (Weddington)	10/26	10/22	10/28
Happy Halloween (Sunday)	10/28	10/29	10/31
PR&G Board Meeting	10/28	10/29 + 10/28 Notice	11/2
MHD SP Committee Meeting	10/28	10/29 + 10/28 Notice	11/4
Coffee with Council - 10-11am	11/1	10/29	11/4
Possible Topics			
MARSH			
Union County Master Gardeners			
Road/Sidewalk Repairs			
Solid Waste Information			

Time Capsule Ideas

Inherit the Land - Gene Stowe

Village Hall Plans?

Photos from VH Groundbreaking Ceremony?

Photos from Other Events

Maps?

Village of Marvin

Council Agenda



Reports & Updates

- 1. Manager's Report**
- 2. Planner's Report**

Village of Marvin

Council Agenda



Agenda Items

- 1. Review of Action Items**
- 2. Review of Ongoing Action Item List**
- 3. Council Comments**

VOM ACTION ITEM LIST				
Meeting Date	Item	Action Needed	Person Responsible	Status
2020				
2/27/2020	Tree Planting List	Revise Text Amendment - Prepare an RFQ	Christina & Hunter	In Progress
2/27/2020	Dwellings Ordinance Revision	Send back to Planning Board for review and then to Council - Ongoing Ordinance Review	Hunter	In Progress
7/1/2020	Roundabout Lighting	Telecom wires need to be adjusted for light installation to be compliant with electrical safety code. Union Power needs encroachment agreements. Work on getting lights on the plans for the roundabout at Marvin Road and New Town Road.	Hunter/Christina	In Progress
7/30/2020	PB & PRG Photos for Email	Get photos of PRG and PB members for email communications.	Austin	On Hold
9/24/2020	Signs	Discuss assessing Village signs with Engineer Mike Walden.	Christina/Hunter	In Progress
11/10/2020	Solid Waste & Recycling	Continue to pursue establishing solid waste and recycling as a municipal service.	Christina	In Progress
12/8/2020	Agenda	Provide an update on the Roundabout Lighting , Street Light Policy, Motor Vehicle Penalty Ordinance , and Median Ordinance .	Hunter	In Progress
12/8/2020	Sign Auction	Coordinate an auction to dispose of the old street signs.	Christina	In Progress
2021				
1/28/2021	Streetlights	Research street light ownership with Union Power.	Hunter	In Progress
2/9/2021	Planning Assistant	Advertise for a planning assistant in the fall.	Christina	On Hold
2/25/2021	Contract	Move forward with the Spotz contract.	Derek	In Progress
3/25/2021	American Rescue Fund	Get more information on the American Rescue Fund and report back at a future meeting.	Christina	In Progress
5/11/2021	Trail Easement	Secure the trail easement for the Innisbrook-Preserve Trail connection.	Hunter & Chaplin	In Progress
5/27/2021	Belle Grove - Streetlights	Investigate getting streetlights installed in the Belle Grove subdivision.	Hunter	In Progress
7/29/2021	MHD Conditional Zoning	Move forward on the conditional zoning for the Marvin Heritage District and work on MHD Zoning Plans	Hunter & Tom	In Progress
7/29/2021	Belle Grove Greenway	Work on alternative solutions for the planned Belle Grove Greenway and will not dispose of the trail easement.	Hunter	In Progress
7/29/2021	Fall Town Hall Meeting	Prepare for the Fall Town Hall Meeting.	Staff	In Progress
8/10/2021	Chimneys HOA	Reach out to the Chimneys at Marvin HOA about the proposed RV and Boat Parking Lot being proposed to Union County located adjacent to the subdivision.	Hunter	In Progress
8/26/2021	Berwick Roads	Give an update on the Berwick issue at the September 14 regular meeting and will give AMT a deadline of September 30 to complete the work.	Christina	In Progress
8/26/2021	MEP Oak Trees	Get additional quotes for preserving the heritage oaks at Marvin Efirid Park.	Derek	In Progress
9/14/2021	Roundabout Plantings	Get an updated quote for roundabout plantings.	Derek	In Progress
9/14/2021	National Night Out	Get social distancing signs for National Night Out.	Staff	In Progress

Village of Marvin

Council Agenda



Closed Session